IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.1396 OF 2007

Ramsuarat Yadav ..Petitioner.

Vs.

Municipal Corporation for Greater Mumbai and others ..Respondents.

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Mr. V.T. Dube for the Petitioner.
Ms. P.A. Purandare for the BMC.

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CORAM: **SWATANTER KUMAR, C.J. &**
DR. D.Y. CHANDRACHUD, J.

29th September, 2007.

P.C. :

It is not disputed before us that the construction of the Petitioner has already been demolished by the Corporation in furtherance to the notice served. However, the Petitioner has also prayed for a relief of alternative accommodation despite the fact that the said structure has been demolished by the Corporation. Counsel appearing for the Corporation states that the Assistant Commissioner, 'L' award shall consider the request of the Petitioner for grant of alternative accommodation in accordance with the rules and policy and if considered eligible, the same may be granted by the authority to the Petitioner. This exercise shall be

completed within a period of six weeks from the date of the Petitioner reporting the said authority.

In the event the Petitioner approaches the authority within two weeks from today, his representation for alternative accommodation shall be disposed of in accordance with law within six weeks thereafter and if the order is adverse to the Petitioner, the Petitioner will be at liberty to take out proceedings as are permissible to him in accordance with law, including reconstruction of the property before the appropriate Court.

With the above directions, the writ petition is disposed of leaving the parties to bear their own costs.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.